

Contract User Guide for TRD02

TRD02 Tradesperson Installation, Repair, Maintenance Services

UPDATED: 08/23/2018

Contract #:	TRD02
MMARS MA #:	TRD02*
Initial Contract Term:	September 20, 2017 – August 31, 2021
Maximum End Date:	Two (2) – three (3) year extensions to August 31, 2027
Current Contract Term:	September 20, 2017 – August 31, 2021
Contract Manager:	Katherine Morse, 617 720 3153, Katherine.Morse@State.MA.US
This Contract Contains:	MBE/MWBE/WBE, Service Disabled Veteran-Owned Business
UNSPSC Codes:	72-14-10 – Asphalt Paving Services, 72-15-23 – Carpentry Services, 72-15-00 – Excavation Services, 72-15-19 – Masonry Services, 72-15-11 – Septic Services

*The asterisk is required when referencing the contract in the Massachusetts Management Accounting Reporting System (MMARS).

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Contract Summary

This is a Statewide Contract for Tradespersons. Contractors provide construction, reconstruction, alteration, installation, demolition, maintenance and/or repair services and, if needed, associated materials for five trade categories.

This contract is rolling enrollment, which allows potential bidders an opportunity to submit responses for the trade(s) of interest up until the *Bid Opening Date* stated in COMMBUYS. After this the contract will be reopened intermittently to allow for additional responses.

The list of available contractors will be updated in COMMBUYS on an on-going basis.

Buyers are encouraged to review the trades' webpage, <http://www.mass.gov/trades>.

Contract Categories

This contract includes five categories of trade services as listed below.

Category 1: Asphalt Paving Services

Category 2: Carpentry Services

Category 3: Excavation Services

Category 4: Masonry Services

Category 5: Septic Services

Benefits and Cost Savings

Statewide contracts are an easy way to obtain benefits for your organization by leveraging the Commonwealth's buying power, solicitation process, contracting expertise, vendor management and oversight, and the availability of environmentally preferable products.

Prequalified Vendor List – Provides a list of prequalified vendors who as a condition of the contract agree to comply with the Construction Law and Prevailing Wage.

County Awards – Contractors provide service on a County level with an option for statewide coverage. For a list of counties please [click here](#).

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Find Bid/Contract Documents

- To find all contract-specific documents, including the List of available vendors, Contract User Guide, RFR, specifications, and other attachments, visit COMMBUYS.com and search for TRD02 to find related Master Blanket Purchase Order (MBPO's) information. All common contract documents and list of available contractors for specific trades are located in the "Conversion Vendor" Master Blanket Purchase Order (MBPO) for TRD02 trade categories and can be accessed directly by visiting [Vendor Information](#) page.
- Additional tool for locating vendor information is the **(NEW!) Tradespersons Contract Index** that is also located on the COMMBUYS homepage.

Who Can Use This Contract

Applicable Procurement Law

Executive Branch Goods and Services: MGL c. 7, § 22; c. 30, § 51, § 52; 801 CMR 21.00;

Construction Materials and Services: G.L. c. 149, s. 44A; G.L. c. 30, § 39M.

Eligible Entities

Please see the standard list of Eligible Entities on our [Who Can Use Statewide Contracts](#) webpage.

Subcontractors

The awarded vendor's use of subcontractors is subject to the provisions of the Commonwealth's Terms and Conditions and Standard Contract Form, as well as other applicable terms of this Statewide Contract. Prior approval of the department is required for any subcontracted service of the Contract. Contractors are responsible for the satisfactory performance and adequate oversight of their subcontractors.

Construction Requirements

Purchasers must ensure that **any** services involving construction are limited to \$50,000 or less.

Purchasing entities are responsible for compliance with applicable construction law requirements. Information concerning specific M.G.L. c. 149 and c. 30 construction requirements may be found in the Office of the Inspector General's Public Procurement Charts at: www.mass.gov/ig/publications/guides-advisories-other-publications/procurement-charts-november-7-2016.pdf. It is the responsibility of the Eligible Entity to determine whether installation work includes construction as defined by M.G.L. c.149 or M.G.L. c.30, §39M. Chapter 30B Procurement Assistance from the Office of the Inspector General is available at mass.gov/ig/procurement-assistance. Access the 30B Hotline at 617-722-8838 or email them at: 30BHotline@massmail.state.ma.us.

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See [Quotes Including Construction Services Requirements](#) below for information on quoting these types of projects.

This contract is to be used for construction, reconstruction, alteration, installation, demolition, maintenance or repair services and, if needed, associated materials. **It is the responsibility of the Eligible Entity to consult their legal counsel for assistance determining whether installation work includes construction as defined by M.G.L. c.149 or M.G.L. c.30, §39M.** Services provided under this contract (i.e. labor) are limited to \$50,000 or less per engagement.

Construction projects exceeding these limits are not permitted under this contract. Additionally, MGL c. 7C, ss. 44-57, Design Services for Public Building Projects, is outside the scope of this statewide contract.

In instances where Statewide Contract TRD02 is used for services in excess of \$25,000, MGL c. 149, s. 29 payment bonds are required from the selected Contractor. It is the responsibility of the eligible entity to enforce this requirement when soliciting quotes.

OSD does not provide guidance on this. Questions around the Construction Law must be directed to the Eligible Entities legal counsel, AG and/or IG.

Pricing, Quote and Purchase Options

Purchase Options

The purchase options identified below are the only acceptable options that may be used on this contract:

- Purchases made through this contract will be direct, outright purchases
- This is a fee for service contract

Pricing Options

Purchases made through this contract will be made on a fee for service basis. If needed, associated materials may be included in the fee for service cost.

Ceiling/Not-to-Exceed: All pricing on this contract is “Ceiling” or not to exceed” pricing. Vendors provide a %markup for prevailing wage, hourly cost for emergency situations and a %markup for supplies. Each contractor has a “Bidder Response Form” on COMMBUYS that has a Pricing Information Section with specific details.



Product/Service Pricing and Finding Vendor Price Files

Product/Service pricing may be found by referencing the “Bidder Response Form” on COMMBUYS in the “Pricing Information Section” with specific details. Product/Service pricing may also be found in the [\(NEW!\) Tradespersons Contract Index](#) located on the COMMBUYS homepage.

How to Purchase From the Contract through COMMBUYS

Setting up a COMMBUYS Account

COMMBUYS is the Commonwealth’s electronic Market Center supporting online commerce between government purchasers and businesses. If you do not have one already, contact the COMMBUYS Help Desk to set up a COMMBUYS buyer account for your organization: (888)-627-8283 or COMMBUYS@state.ma.us.

When contacting a vendor on statewide contract, always reference and disclose the statewide contract number TRD02 to receive contract pricing.

Quick Search in COMMBUYS

Log into COMMBUYS, and use the Search box on the COMMBUYS header bar to locate items described on the MBPO or within the vendor catalog line items. Select Contract/Blanket or Catalog from the drop-down menu.

Directly purchase fixed price items through COMMBUYS

This contract allows buyers to find and quickly purchase specific products/services with pricing within COMMBUYS. In other words, it allows you to create a Release Requisition in COMMBUYS, submit the requisition for approval, and send the vendor a Release Purchase Order.

For a description of how to complete this purchase in COMMBUYS, visit the [Job Aids for Buyers](#) webpage and select:

- The *COMMBUYS Requisitions* section, and choose the *How to Create a Release Requisition and Purchase Order (Contract Purchase)* job aid.

Solicit quotes and select and purchase quoted item in COMMBUYS

This COMMBUYS functionality provides a mechanism to easily obtain quotes, as specified by the Contract. The buyer would create a Release Requisition, and then convert it to a Bid. After approval by the buyer approving officer, the bid is then sent to selected vendors to request quotes.

For a description of how to complete this purchase in COMMBUYS, visit the [Job Aids for Buyers](#) webpage, and select:

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- The *COMMBUYS Purchase Orders* section, and choose the *How to Create a Solicitation Enabled Bid Using a Release Requisition* job aid or one of the quick reference guides.

Document items in COMMBUYS that have already been purchased

This type of contract allows buyers to document a contract purchase in COMMBUYS that already has taken place through a Request for Payment Authorization (RPA) Release Requisition. It also allows MMARS users to easily keep track of spend. NOTE: MMARS and COMMBUYS do not interface –payment request and invoice should be reported in both MMARS and COMMBUYS separately.

For a description of how to complete this purchase in COMMBUYS, visit the [Job Aids for Buyers](#) webpage, and select:

- The COMMBUYS Requisitions section, and choose the *How to Create an RPA Release Requisition* job aid.

Obtaining Quotes

Contract users should always reference TRD02 when contacting vendors to ensure they are receiving contract pricing. Quotes, not including construction services, should be awarded based on best value.

Quotes Including Construction Services

Please note specific requirements that apply for quoting construction services, depending upon the scope of your bid:

- Where the construction services are less than \$10,000: Select a vendor based on sound business practices, consistent with your entity's procurement policies and procedures.
- For construction services valued from \$10,000-\$50,000: Must solicit a minimum of three quotes and receive two written responses; award to lowest responsible bidder.

Please see Construction Law Compliance section of this document for additional guidance. *OSD does not provide guidance on this.* Questions around the Construction Law must be directed to the Eligible Entities legal counsel, AG and/or IG.

Prevailing Wage Requirements

The buyer has a legal obligation to request a prevailing wage schedule from the Department of Labor Standards (DLS) at www.mass.gov/dols. Questions regarding the Prevailing Wage Law may be answered by accessing the DLS website or by calling the DLS Prevailing Wage Program at (617) 626-6953.

If prevailing wage is required, make sure to include this information in your quotes or bids so vendors know to include prevailing wage.

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Weekly Payroll

Eligible Entities must obtain a copy of the Contractors weekly payroll records to ensure that Prevailing Wage was paid. The weekly payroll record must be reviewed prior to paying any invoice that includes Prevailing Wage. Chapter 149, § 27B requires the following information be contained on certified payroll records: For each employee, the name, address, occupational classification, hours worked and wages paid. For each apprentice, in addition to the aforementioned information, a photocopy of the apprentice's ID card. Example of certified payroll record (report form) <http://www.mass.gov/lwd/docs/dos/prevailing-wage/pw-payroll.pdf>

Instructions for MMARS Users

MMARS users must reference the MA number in the proper field in MMARS when placing orders with any contractor. Contact the Comptroller Help and Support Desk at 617-973-2468 or via email at Comptroller.Info@state.ma.us for additional support. When searching in MMARS please use and see MA category:

1. TRD02ASPHALT*
2. TRD02CARPENTRY*
3. TRD02EXCAVATION*
4. TRD02MASONRY*
5. TRD02SEPTIC*

Emergency Services

Many statewide contracts are required to provide products or services in cases of statewide emergencies. [ML - 801 CMR 21](#) defines emergency for procurement purposes. Visit the [Emergency Contact Information for Statewide Contracts](#) list for emergency services related to this contract.

Additional Information

Mandatory Vendor Response to Buyer Request for Quotes

As a term of the RFR, Contractors must respond in writing to all requests for quotes from Eligible Entities. If the Contractor is unable to provide the services being requested, the Contractor still must respond to the Eligible Entity that they will not be bidding. If a buyer experiences issues with vendors not responding to quotes they should notify the Contract Manager (email katherine.morse@mass.gov).

Geographical Service Area

This contract has been awarded both statewide and by counties. To determine if vendors are awarded in your county for the trade category you are soliciting services for please follow the below:

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- **Logged into COMMBUYS**-Click *Advanced* at the top of the screen then select *Contracts/Blankets* from the Document Type Drop Down. When the search options appear type the trade that you are soliciting in the *Description Field* (e.g. TRD02 - Boiler Services) and your County in the *Item Description Field* (e.g. Essex County).
- **Not Logged into COMMBUYS**-Scroll to the bottom left of the page under *Browse by Category* and click on *Contract & Bid Search* then click on the radio bottom for *Contracts/Blankets*. When the search options appear type the trade that you are soliciting in the *Contract/Blanket Description Field* (e.g. TRD02 - Boiler Services) and your County in the *Item Description Field* (e.g. Essex County).
- An additional tool available for locating vendor county information is the **(NEW!) Tradespersons Contract Index** located on the COMMBUYS homepage.

Vendor Licenses and Certifications

The Tradespersons contracts are awarded as qualifying lists by OSD. It is the responsibility of the Eligible Entity to ensure that they obtain copies of all the proper employment requirements including but limited to licenses, certifications, insurance, OSHA, etc. from the Contractor for all employees working on a project prior to engagement.

Permits

Contractor is responsible for obtaining and submitting all required permits from any Federal, State or Local agency. Contractors are responsible for the payment of all permits. Eligible Entities will not pay for any permits of any kind unless this is otherwise specified and agreed upon by the purchasing entity in writing prior to the start of work.

Security Deposit or Additional Insurance

Contractors may not charge an Eligible Entity a security deposit or additional insurance for any commodity or service under this Statewide Contract.

No Minimum Charge

Contractors are paid only for hours worked on location. Labor charges begin at job location and end at job location. Eligible Entity will not pay for any additional labor charges away from job location.

Other Expenses

No meals, commuting expenses, fuel surcharges, lodging, incidental expenses or other expenses can be billed to the purchaser

Prompt Pay Discounts

Discounts given to the buyer if paid within a certain time period. These discounts may be found in the Tradespersons Contract Index located on the COMMBUYS homepage. All discounts offered will be taken in

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cases where the payment issue date is within the specified number of days listed by vendor and in accordance with the Commonwealth's Bill Paying Policy. Payment days will be measured from the date goods are received and accepted / performance was completed OR the date an invoice is received by the Commonwealth, whichever is later to the date the payment is issued as an EFT (preferred method) or mailed by the State Treasurer. The date of payment "issue" is the date a payment is considered "paid" not the date a payment is "received" by a Contractor.

Performance and Payment Time Frames Which Exceed Contract Duration

Term leases, rentals, maintenance or other agreements for services entered into during the duration of this Contract and whose performance and payment time frames extend beyond the duration of this Contract shall remain in effect for performance and payment purposes (limited to the time frame and services established per each written agreement). No written agreement shall extend more than one year beyond the current contract term of this Statewide Contract as stated on the [first page](#) of this contract user guide. No new leases, rentals, maintenance or other agreements for services may be executed after the Contract has expired.

Statement of Work

The Strategic Sourcing Team has developed a general Statement of Work (SOW) Template to be used when soliciting quotes under TRD02. It is highly encouraged the Eligible Entities use the Statement of Work Template as a reference when soliciting quotes. This is not intended to replace the eligible entity's internal standard form, but to act as more of a guide. The SOW Template is saved in COMMBUYS under the trade categories Conversion Vendor.

Strategic Sourcing Team Members

Name, Organization		
AnnMarie Rodrigues, DOC	Donald Staffiere, DOC	Katherine Morse, OSD
Catrice C. Williams, DPH	Elaine Davis, Barnstable County	Kristine Marcotte, DOC
Christopher Yacino, DOC	Jenna Ide, DCP	Nancy Fitzgerald, DFS
Deanne Daneau, DEP	Johanna Boucher, Town of Barnstable	Sean Foley, DOC
Deborah Anderson, AGO	John Crisley, DCP	Tina Urato, CDA
Eugene J Deutsch, DYS	John Ferrara, DCP	Victor Salcedo, AGO
Timothy Waitkevitch, CHIA		

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Vendor List and Information*

"Conversion Vendor"	Conversion Vendors - Master Blanket Purchase Order #	Contact Person	Counties
TRD02 - Asphalt Paving Services	PO-18-1080-OSD03-SRC02-11686	This is the Conversion Vendor, which is a repository of common contract files and can be used to solicit quotes. Each Contractor has their own MBPO in COMMBUYS.	Awarded counties are identified in COMMBUYS line item section for each individual vendor MBPO or the Tradespersons Contract Index located on the COMMBUYS homepage.
TRD02 - Carpentry Services	PO-18-1080-OSD03-SRC02-11687	This is the Conversion Vendor, which is a repository of common contract files and can be used to solicit quotes. Each Contractor has their own MBPO in COMMBUYS.	Awarded counties are identified in COMMBUYS line item section for each individual vendor MBPO or the Tradespersons Contract Index located on the COMMBUYS homepage.
TRD02 - Excavation Services	PO-18-1080-OSD03-SRC02-11688	This is the Conversion Vendor, which is a repository of common contract files and can be used to solicit quotes. Each Contractor has their own MBPO in COMMBUYS.	Awarded counties are identified in COMMBUYS line item section for each individual vendor MBPO or the Tradespersons Contract Index located on the COMMBUYS homepage.
TRD02 - Masonry Services	PO-18-1080-OSD03-SRC02-11689	This is the Conversion Vendor, which is a repository of common contract files and can be used to solicit quotes. Each Contractor has their own MBPO in COMMBUYS.	Awarded counties are identified in COMMBUYS line item section for each individual vendor MBPO or the Tradespersons Contract Index located on the COMMBUYS homepage.
TRD02 - Septic Services	PO-18-1080-OSD03-SRC02-11690	This is the Conversion Vendor, which is a repository of common contract files and can be used to solicit quotes. Each Contractor has their own MBPO in COMMBUYS.	Awarded counties are identified in COMMBUYS line item section for each individual vendor MBPO or the Tradespersons Contract Index located on the COMMBUYS homepage.

* Note that COMMBUYS is the official system of record for vendor contact information.

**The Conversion Vendor MBPO [The Master MBPO] is the central repository for all common contract files. [Price files may be found in the individual vendor's MBPO.]

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